

# LIQ03

## Notice of progress report in voluntary winding up



Companies House

MONDAY



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A16

03/08/2020

#11

COMPANIES HOUSE

### 1 Company details

Company number 1 0 6 3 2 3 0 4

Company name in full Fitlearn Ltd

→ Filling in this form  
Please complete in typescript or in  
bold black capitals.

### 2 Liquidator's name

Full forename(s) Jamie

Surname Playford

### 3 Liquidator's address

Building name/number Lawrence House

Street 5 St Andrews Hill

Post town Norwich

County/Region

Postcode N R 2 1 A D

Country

### 4 Liquidator's name ①

Full forename(s)

Surname

① Other liquidator  
Use this section to tell us about  
another liquidator.

### 5 Liquidator's address ②

Building name/number

Street

Post town

County/Region

Postcode

Country

② Other liquidator  
Use this section to tell us about  
another liquidator.

LIQ03

Notice of progress report in voluntary winding up

**6** Period of progress report

From date	d	2	d	6	m	0	m	6	y	2	y	0	y	1	y	9
To date	d	2	d	5	m	0	m	6	y	2	y	0	y	2	y	0

**7** Progress report☒ The progress report is attached**8** Sign and date

Liquidator's signature

Signature

X



X

Signature date

d	0	d	3	m	0	m	8	y	2	y	0	y	2	y	0
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LIQ03

## Notice of progress report in voluntary winding up

**Presenter information**

You do not have to give any contact information, but if you do it will help Companies House if there is a query on the form. The contact information you give will be visible to searchers of the public record.

Contact name **Lewie Rhodes**

Company name **Leading Business Services Ltd**

Address **Lawrence House**

**5 St Andrews Hill**

Post town **Norwich**

County/Region

Postcode **N R 2 1 A D**

Country

DX

Telephone **01603 552028**

**Checklist**

We may return forms completed incorrectly or with information missing.

Please make sure you have remembered the following:

- ☐ The company name and number match the information held on the public Register.
- ☐ You have attached the required documents.
- ☐ You have signed the form.

**Important information**

All information on this form will appear on the public record.

**Where to send**

You may return this form to any Companies House address, however for expediency we advise you to return it to the address below:

The Registrar of Companies, Companies House,  
Crown Way, Cardiff, Wales, CF14 3UZ.  
DX 33050 Cardiff.

**Further information**

For further information please see the guidance notes on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse) or email [enquiries@companieshouse.gov.uk](mailto:enquiries@companieshouse.gov.uk)

This form is available in an alternative format. Please visit the forms page on the website at [www.gov.uk/companieshouse](http://www.gov.uk/companieshouse)

**Fitlearn Ltd**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

Statement of Affairs £		From 26/06/2019 To 25/06/2020 £	From 26/06/2019 To 25/06/2020 £
	<b>ASSET REALISATIONS</b>		
Uncertain	Plant & Machinery	NIL	NIL
Uncertain	Computer Equipment	2,630.15	2,630.15
Uncertain	Office Equipment	NIL	NIL
NIL	Customer List / Contracts	NIL	NIL
8,529.26	Cash at Bank	NIL	NIL
3,236.91	Cash Held on Appointment	3,236.91	3,236.91
Uncertain	Overdrawn Loan Account	NIL	NIL
Uncertain	Rent Deposit	NIL	NIL
	E-Teacher Settlement	76,300.00	76,300.00
		<u>82,167.06</u>	<u>82,167.06</u>
	<b>COST OF REALISATIONS</b>		
	Section 100 Fees	23,290.00	23,290.00
	Section 100 Disbursements	99.02	99.02
	Liquidator's Fees	55,947.17	55,947.17
	Liquidator's Disbursements	987.87	987.87
	Agents/Valuers Fees (1)	1,843.00	1,843.00
		<u>(82,167.06)</u>	<u>(82,167.06)</u>
	<b>UNSECURED CREDITORS</b>		
(2,804.74)	Directors	NIL	NIL
(30,304.61)	Banks/Finance Companies	NIL	NIL
(12,500.00)	Trade Creditors	NIL	NIL
(473,723.71)	Students	NIL	NIL
(5,994.38)	Landlord	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	<b>DISTRIBUTIONS</b>		
(1.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<b>(513,562.27)</b>		<b>0.00</b>	<b>0.00</b>
	<b>REPRESENTED BY</b>		
	Vat Control Account		15,417.43
	Creditor - Leading		(15,417.43)
			<u><b>NIL</b></u>

**Note:**

The above figures do not include VAT. Where the entity was not VAT registered, VAT payable is shown as a separate entry in VAT Irrecoverable.



**Jamie Playford**  
**Liquidator**



**FITLEARN LIMITED – IN LIQUIDATION**

# Liquidator's Progress Report

For the period 26 June 2019 to 25 June 2020



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Appendix 5 – Breakdown of the Liquidator's time costs for the period of this report

# 1. Introduction

The purpose of this report is to detail the acts and dealings of the Liquidator and it should be read in conjunction with previous reports to creditors.

I was appointed Liquidator of the Company on 26 June 2019. I am licensed to act in the UK by the IPA.

I can confirm that there has been no change in office-holder since the date of the liquidation.

Statutory information regarding the Company is provided at Appendix 1.

## 2. Progress

### Administration

A summary of the Liquidator's administrative duties are detailed at Appendix 2 of this report.

### Assets

According to the Statement of Affairs lodged in these proceedings, the assets of the Company had an estimated value of £11,766.17, which comprised principally of cash at bank and cash held on appointment.

The progress of realisation of these assets for the period of this report is detailed below.

#### **Plant and Machinery**

The plant and machinery was listed on the Statement of Affairs with a book value of £41,634.74 and an uncertain estimated realisable value.

This related to gym equipment which was sold to a third party prior to my appointment. I have considered the transaction as part of my investigations into the Company's affairs and it does appear to be challengeable.

No further action will be taken in respect of this asset.

#### **Computer Equipment**

The computer equipment was listed on the Statement of Affairs with a book value of £5,474.07 and an uncertain estimated realisable value.

I instructed an agent, Massinghams Limited, to collect the computer equipment and arrange for it to be sold. The agent arranged for the equipment to be sold to unconnected third parties for the sum of £2,630.15.

No further funds are expected in relation to this asset.

#### **Office Equipment**

The office equipment was listed on the Statement of Affairs with a book value of £33,663.08 and an uncertain estimated realisable value. Due to the nature of the asset, which appeared to have a nominal value, it was not deemed economical to pursue a sale of this asset.

No further action will be taken in respect of this asset.

#### **Customer List and Contracts**

The Company held agreements with a large number of students to complete online personal training qualifications. The estimated realisable value of the customer list and ongoing agreements was nil.

I was advised that the director was initially approached by an unconnected third party who made an offer for the customer list and contracts. This sale did not proceed and I did not consider that a sale to any other party was viable.

There will be no realisations in this respect.

#### **Cash at Bank**

The Company's Statement of Affairs indicated that there was cash at bank in the sum of £8,529.26. This related to funds which were held by Stripe.

Stripe advised that there are no funds held in the account and confirmed that there was in fact a debit balance of £32,414.93.

As a result, no funds have been realised in respect of this asset.

#### **Cash Held on Appointment**

Funds of £3,236.91 were received from the director prior to my appointment.

#### **Overdrawn Loan Account**

It is detailed in the Statement of Affairs that there were funds due from a third party in respect of loans made by the Company.

I took steps to realise these funds by writing to the recipient and requesting repayment. The recipient was incarcerated and investigations suggested that the recipient had insufficient assets to repay the sums due.

I considered whether any action could be taken against the Company directors for allowing the loans to be made however my investigations also showed that enforcement of any judgement would be unlikely.

Due to this, no further funds are expected in relation of this asset.

#### **Rent Deposit**

A rent deposit was listed on the Statement of Affairs with a book value of £5,994.38. The Company held a lease with Suffolk County Council however it is believed that the deposit will be offset against outstanding rent arrears.

Due to this, no funds are expected in relation to this asset.

#### **ETeacher Settlement**

As part of my investigations into the Company's affairs, I undertook a detailed review of the Company's bank statements. It was noted that the sum of £76,300.00 had been paid to ETeacher Limited.

I wrote to this Company to request information regarding the payments and it was alleged that the funds paid were for website design services. I was unable to locate sufficient information to show that sufficient value had been received by the Company in consideration of these payments and therefore requested that the funds be returned.

I have received the sum of £76,300.00 in this respect.

### **3. Investigations**

An initial investigation into the Company's affairs was undertaken to establish whether there were any potential asset recoveries or conduct matters that justified further investigation.

As set out in the asset section above, I became aware of a loan that had been made to a third party but it was not possible to make any realisations in this respect.

My investigations also highlighted payments made to ETeacher Limited. These funds have been repaid in full.

I also received information from several parties regarding the conduct of the directors in this matter. This information was considered as part of my general investigations.

A report on the conduct of any individuals, who have been directors of the Company in the three years prior to the insolvency, is required to be submitted to the Secretary of State within three months of my appointment. I confirm that this has been submitted, however the content of this report is confidential.



## 4. Costs and Expenses

A Receipts and Payments Account for the period covered by this report and the liquidation in its entirety is enclosed at Appendix 3. Receipts relating to asset realisations have been detailed in the progress section above. Information in relation to the costs and expenses of the liquidation are detailed below.

### Pre-Appointment Costs

At a meeting of creditors held on 26 June 2019 it was resolved that Leading's fee to assist the board to prepare the Statement of Affairs of the Company and to convene a decision procedure to appointment a Liquidator be fixed to time properly spent by me and my staff.

My time costs for the pre-appointment period totalled £29,602.00 represented by 97.50 hours at an average hourly rate of £303.61. I have drawn the sum of £23,290.00 in respect of these costs. A breakdown of these time costs is enclosed at Appendix 4.

### Pre-Appointment Disbursements

The disbursements incurred prior to my appointment are shown in the table below. I have drawn all of these disbursements. All disbursements are shown exclusive of VAT, where applicable.

Nature of expenses	Provided by	Incurred £
Accounting Software	Xero	21.27
Statutory Advertising	Courts Advertising	77.05
<b>Total</b>		<b>99.02</b>

### Liquidator's Remuneration

Numerous activities have been undertaken in administering the liquidation. A summarised list of these activities is attached at Appendix 1.

On 26 June 2019 creditors agreed the basis upon which I was to be remunerated. A resolution was passed that I be remunerated on the basis of time properly spent by me and my staff in attending to matters arising in the administration of the liquidation.

As part of the request for my remuneration on a time costs basis, I provided a time costs estimate of £49,440.00. It is not likely that my time costs will exceed this sum.

In addition, it was resolved that I be entitled to draw a fee of 20% of any realisations received in the liquidation.

This fee was considered to be fair and reasonable as any significant realisations in this matter were likely to be as a result of investigations undertaken by me and my staff to recover assets. The risk associated with realising these assets in the first instance would have been borne by my firm.

My time costs for the period of this report from 26 June 2019 to 25 June 2020 total £39,653.00 represented by 181.00 hours at an average hourly rate of £219.08. The sum of £55,947.17 has been drawn to date. A breakdown of these time costs is enclosed at Appendix 5.

### Liquidator's Disbursements

My category 1 disbursements incurred for the period up to the end of this report are detailed below. The basis of these disbursements were approved at the creditors' meeting held on 26 June 2019. The sum of £987.87 has been drawn in respect of these disbursements.

Nature of Expenses	Provided by	Incurred this Period £	Incurred to Date £
Accounting Software	Xero	126.69	126.69
Valuation Agent	O A Chapman	120.00	120.00
Statutory Advertising	Courts Advertising	155.50	155.50
Land Registry Fee	Land Registry Charges	15.00	15.00
Postage	Post Made Easy	55.68	55.68
IP Insolvency Bond	Marsh	520.00	520.00
Vehicle Search Fees	DVLA	10.00	10.00
<b>Total</b>		<b>1,002.87</b>	<b>1,002.87</b>

A copy of 'A Creditors Guide to Liquidators' Fees' may be found at the link below:

<https://leading.shortcm.li/R3feeguideliq>

A copy of this firm's charge-out rate and disbursement policy may be found at:

<https://leading.shortcm.li/SIP9>

A hard copy of both the Creditors Guide and the firm's charge-out rate and disbursement policy may be obtained free of charge on request.

#### Other Professional Costs

##### Agents & Valuers

O A Chapman were instructed as valuers in relation to valuing assets. Their costs have been agreed on a fixed fee basis, plus disbursements and VAT. The agent's fees amount to £120.00. This has been paid in full.

Massinghams Limited were instructed to attend the Company's premises and arrange for a sale of the Company's assets. They were instructed on a fixed fee basis of £750.00 to carry out the valuation and inventory of the assets. Additionally, they were paid £263.00 for commission on the sale of assets and incurred disbursements of £830.00. Their fee totalled £1,843.00.

## 5. Outcome for Creditors

The following table shows the claims disclosed on the Statement of Affairs, the claims received to date, and the current projected dividend:

	Statement of Affairs £	Claims Received £	Dividend Paid to Date p/£	Projected Further Dividend p/£
Fixed Charge	NIL	NIL	NIL	NIL
Preferential	NIL	NIL	NIL	NIL
Floating Charge	NIL	NIL	NIL	NIL
Unsecured	525,324.44	199,439.13	NIL	NIL
<b>Total</b>	<b>525,324.44</b>	<b>199,439.13</b>		

The level of realisations in this case has been sufficient to cover only the costs and expenses of Liquidation. There will be no distribution to any class of creditor. Notice of no dividend was given to creditors on 27 May 2020.

## 6. Further Information

As a creditor, you have a right to request further information with regard to any aspect of this report or to challenge my fees and expenses. If you require further information, please do not hesitate to contact me.

If you require any further information, please make a request in writing within 21 days of receipt of this report. I shall provide this information within 14 days of the request unless it is considered that:

1. The time and costs involved in preparing the information would be excessive;
2. Disclosure would be prejudicial to the conduct of the liquidation or might be expected to lead to violence against any person.

If you are not satisfied with my response, you have the right to request further information from me with regard to my remuneration and expenses, with either the permission of the Court or with a collective request from 10% in value of unsecured creditors. This request must be made within eight weeks of receipt of this report.

Further, creditors have the right to apply to Court to challenge the amount of, or the basis of, my remuneration and expenses, with either the permission of the Court or with a collective request from 10% in value of unsecured creditors. This application must be made within eight weeks of receipt of this report.

## 7. Conclusion

The next report will either be to conclude the liquidation or will be issued within two months of the next anniversary.

If you have any queries, please contact Lewie Rhodes at this office.



.....  
**Jamie Playford**  
**Liquidator**

**3 August 2020**

Jamie Playford FABRP MIPA is an Insolvency Practitioner licensed to act in the UK by the Insolvency Practitioners Association. Alex Dunton MABRP is an Insolvency Practitioner licensed to act in the UK by the ICAEW. When acting as Administrator(s), the affairs, business and property of the Company are being managed by the Administrator(s) who act as agents of the Company and contract without personal liability.

## **Statutory Information**

### **Client Information**

Name:	FITLEARN LTD
Previous Names:	N/A
Registered Address:	Lawrence House, 5 St Andrews Hill, Norwich, Norfolk, NR2 1AD
Former Registered Address:	20-22 Wenclock Road, London, N1 7GU
Trading Names:	Fitlearn Ltd
Trading Address:	Unit 17 Phoenix Enterprise Park, Lowestoft, Suffolk, NR33 7NP
Principal Trading Activity:	Online personal training provider

### **Company Information (where relevant):**

Registered Number:	10632304
Date of Incorporation:	22 February 2017

### **Court Information (where relevant):**

Court:	Members and Creditors
Court Number:	-

### **Appointment Details**

Type of Insolvency:	CVL
Name of Officeholder(s):	Jamie Playford
Address of Officeholder(s):	Leading, Lawrence House, 5 St Andrews Hill, Norwich, NR2 1AD
Date of Appointment:	26 June 2019
IP Number(s):	9735
Authorising Body:	IPA

### **Your Right to Opt Out from Receiving Documents**

As a creditor, you have a right to elect to opt out from receiving documents relating to this insolvency from the Officeholder. However, even if you do choose to opt out there are certain documents that you will still receive; these being:

- Any notices which the Insolvency Act 1986 requires to be delivered to all creditors without expressly excluding opted-out creditors;
- Any notices of a change in the Officeholder or the contact details for the Officeholder; and
- Any notices relating to distributions, intended distributions and notices required to be given by court order.

Please also note that:

- Opting-out will not affect your entitlement to receive dividends, should any be paid to creditors;
- Unless the Insolvency Rules provide otherwise, opting-out will not affect any right you may have to vote in a decision procedure or participate in a deemed consent procedure, although you will not receive notice of it; and
- Should you elect to opt-out of receiving any future documents, you will be treated as having opted out with respect to any consecutive insolvency proceedings.

If you wish to elect to opt out from receiving documents, please state so on the enclosed proof of debt form. Should you subsequently wish to cease being an opted-out creditor, please inform my office in writing.

### **Jurisdiction**

The EC Regulations on insolvency proceedings will apply and these will be the main proceedings.

## **Data Protection**

Information about the way that we will use, and store personal data on insolvency appointments can be found at the link below. If you are unable to download this, please contact us and a hard copy will be provided to you free of charge.

<https://leading.shortcm.li/privacy>

## **Creditors Rights**

A copy of 'A Creditors Guide to Officeholder Fees' may be found at the link below. Please visit the link and select the document that relates to CVL.

<https://leading.shortcm.li/R3FeeGuides>

Should you wish to lodge a claim in these proceedings, please complete and return the proof of debt form which can be found at the link below:

<https://leading.shortcm.li/Proof-of-Debt>

## **Ethical Issues and Complaints**

I am required to advise you that I am bound by the Insolvency Code of Ethics on all insolvency matters and must remain independent at all times. We give high priority to client service and are keen to ensure that the quality of this is maintained.

If at any time you would like to discuss how the firm's service to you could be improved, or if you are dissatisfied with any element of the service you are receiving, please contact me as soon as possible so that I may discuss our complaints policy with you.

A copy of our complaints policy can be found at the following link:

<https://leading.shortcm.li/Complaints-Policy>

## **Investigations**

Where an entity is insolvent, I am required to undertake certain investigations into the period of trade prior to insolvency which may establish the cause of insolvency and may raise questions which require further information. To assist me in this, if you feel you have any information that is relevant to my investigations, please complete the creditors' questionnaire available at the link below. This does not apply to Members' Voluntary Liquidations.

<https://leading.shortcm.li/Creditor-Questionnaire>

## **Charge-out Rates and Disbursement Policy**

A copy of this firm's charge-out rate and disbursement policy may be found at:

<https://leading.shortcm.li/SIP9>

## Appendix 2

### Summary of Liquidator's Activities

A summarised list of activities undertaken in this liquidation is detailed below.

Staff of different levels will be involved in these activities dependent upon the level of experience required in order to keep costs to an appropriate level.

#### **Administration**

- Filing the relevant notices upon appointment
- Circulating notices to creditors, members, employees and other stakeholders advising of the appointment
- Regular case reviews
- Reviewing the circumstances of the case to determine the appropriate strategy

#### **Realisation of assets**

- Instruction of, and correspondence with, agents and lawyers with regarding to the valuation and disposal of assets
- Safeguarding assets
- Uplifting of company documents
- Obtaining adequate insurance
- Liaising with, and providing information to, potential purchasers of assets
- Registering relevant notices with Land Registry as appropriate
- Dealing with outstanding pre-appointment HMRC returns

#### **Creditors**

- Maintaining a list of creditors claims
- Advertising for claims
- Agreement of claims

#### **Cashiering**

- Opening an appropriate bank account
- Obtaining a specific bond
- Monthly bank statement reconciliations
- Dealing with receipts into the account
- Dealing with payments out of the account
- Post appointment Corporation Tax returns
- Post appointment VAT returns

**Fitlearn Ltd**  
**(In Liquidation)**  
**Liquidator's Summary of Receipts & Payments**

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NIL	Customer List / Contracts	NIL	NIL
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3,236.91	Cash Held on Appointment	3,236.91	3,236.91
Uncertain	Overdrawn Loan Account	NIL	NIL
Uncertain	Rent Deposit	NIL	NIL
	E-Teacher Settlement	76,300.00	76,300.00
		<u>82,167.06</u>	<u>82,167.06</u>
	<b>COST OF REALISATIONS</b>		
	Section 100 Fees	23,290.00	23,290.00
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	Liquidator's Disbursements	987.87	987.87
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		<u>(82,167.06)</u>	<u>(82,167.06)</u>
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(2,804.74)	Directors	NIL	NIL
(30,304.61)	Banks/Finance Companies	NIL	NIL
(12,500.00)	Trade Creditors	NIL	NIL
(473,723.71)	Students	NIL	NIL
(5,994.38)	Landlord	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
	<b>DISTRIBUTIONS</b>		
(1.00)	Ordinary Shareholders	NIL	NIL
		<u>NIL</u>	<u>NIL</u>
<u>(513,562.27)</u>		<u>0.00</u>	<u>0.00</u>
	<b>REPRESENTED BY</b>		
	Vat Control Account		15,417.43
	Creditor - Leading		(15,417.43)
			<u>NIL</u>

**Note:**

The above figures do not include VAT. Where the entity was not VAT registered, VAT payable is shown as a separate entry in VAT Irrecoverable.



**Jamie Playford**  
**Liquidator**

## Time Entry - SIP9 Time & Cost Summary

F010 - Fitlearn Ltd  
All Pre Appointment Project Codes  
To: 26/06/2019

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	36.80	22.20	0.70	3.80	63.30	20,500.00	323.85
Case Specific Matters	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Creditors	7.50	3.20	0.90	10.80	22.40	5,460.00	243.75
Investigations	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Realisation of Assets	1.70	10.10	0.00	0.00	11.80	3,642.00	308.64
Trading	0.00	0.00	0.00	0.00	0.00	0.00	0.00
<b>Total Hours</b>	<b>46.00</b>	<b>35.50</b>	<b>1.60</b>	<b>14.60</b>	<b>97.50</b>	<b>29,602.00</b>	<b>303.61</b>
<b>Total Fees Claimed</b>						<b>23,290.00</b>	
<b>Total Disbursements Claimed</b>						<b>99.02</b>	



## Time Entry - SIP9 Time & Cost Summary

F010 - Fitteam Ltd  
All Post Appointment Project Codes  
From: 26/06/2019 To: 25/06/2020

Classification of Work Function	Partner	Manager	Other Senior Professionals	Assistants & Support Staff	Total Hours	Time Cost (£)	Average Hourly Rate (£)
Administration & Planning	3.40	2.20	15.50	44.70	65.80	13,432.00	204.13
Case Specific Matters	0.00	0.00	0.00	4.70	4.70	940.00	200.00
Creditors	4.00	0.40	9.10	31.50	45.00	8,960.00	199.11
Investigations	13.10	2.40	18.20	9.90	43.60	10,928.00	250.64
Realisation of Assets	5.00	1.70	5.90	9.10	21.70	5,357.00	246.87
Trading	0.00	0.00	0.00	0.20	0.20	36.00	180.00
<b>Total Hours</b>	<b>25.50</b>	<b>6.70</b>	<b>48.70</b>	<b>100.10</b>	<b>181.00</b>	<b>38,653.00</b>	<b>219.08</b>
<b>Total Fees Claimed</b>						<b>55,947.17</b>	
<b>Total Disbursements Claimed</b>						<b>987.87</b>	